

ENTERED

March 08, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONCARL Y THOMAS SR., *et al*,

Plaintiffs,

VS.

US BANK TRUST NA, AS TRUSTEE
OF THE IGLOO SERIES II TRUST,

Defendant.

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CIVIL ACTION NO. 4:18-CV-04328

ORDER GRANTING DEFENDANT'S MOTION TO DISMISS

Pending before the Court is the defendant, US Bank Trust NA, as Trustee of the Igloo Series II Trust's, Motion to Dismiss the Plaintiffs' case pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b) (Dkt. No. 5). After consideration, the Court finds that all of the plaintiffs' claims in this case should be and are hereby DISMISSED WITH PREJUDICE.

It is, therefore, ORDERED, ADJUDGED and DECREED that all of the plaintiffs' claims and causes of action in the above case (including but, not limited to, the plaintiff's claims for (1) quiet title; (2) fraud; (3) breach of contract; (4) violation of chapter 392 of the Texas Finance Code; (5) wrongful foreclosure; (6) attorney's fees; and (7) injunctive relief against the defendant, US Bank Trust NA, as Trustee of the Igloo Series II Trust in this case and/or all of the plaintiffs' claims related to the real property located at 614 Bold Ruler, Stafford, Texas 77477) are hereby DISMISSED WITH PREJUDICE.

It is FURTHER ORDERED, ADJUDGED, and DECREED, that costs are taxed against the party incurring same.

It is so ORDERED.

SIGNED on this 8th day of March, 2019.

A handwritten signature in black ink, appearing to read "Kenneth M. Hoyt", written over a horizontal line.

Kenneth M. Hoyt
United States District Judge